

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and

THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO : 30679 of 1998

Between:

Dr.S.Bhaskara Naidu S/o. Narasimhulu Naidu
R/o.Eguvakandiga Village , Diguvamasapalli post Chittoor Mandl & Chittoor Dist.

..... PETITIONER

AND

- 1 The Secretary to the Govt
Education Dept Secretariat , Hyderabad
- 2 The Commissioner of Collegiate Education
A.P., Hyderabad.
- 3 The Secretary
A.P.College Service Commission A.P., Hyderabad.
- 4 The Principal
P.V.K.N.Govt College , Chittoor Chittoor Dist.
- 5 The Registrar
A.P.Administrative Tribunal Hyderabad.

.....RESPONDENTS

THE COURT MADE THE FOLLOWING :

ORAL ORDER: (per Hon'ble Smt. T. Meena Kumari, J)

When the case is called, there is no representation. Hence, the matter is decided basing on the material available on record.

This writ petition has been filed seeking a direction to the respondents to implement the orders of Andhra Pradesh Administrative Tribunal in O.A.No.6369 of 1997, dated 25-09-1998.

The facts go to show that the petitioner, who was awarded Ph.D. in commerce, has been working as Part-Time Lecturer in Commerce subject in P.V.K.N. Government College, Chittoor since 1992. He was appointed against a regular vacancy for a remuneration of Rs.20/- per period. Pursuant to issuance of G.O.Ms.No.166 dated 8-6-1994, his salary was fixed in the minimum time scale of pay i.e., Rs.3640-7580 vide Rc.No.6-8/93 dated 22-06-1994. But, without assigning any reason, the petitioner was again reverted back as the part-time lecturer on remuneration basis as had been paid earlier at Rs.20/- per period vide order in Rc.No.64/286/G/97 dated 6-3-1998. The batch of OAs filed by the petitioner and some others before the Tribunal were disposed of with a direction to the respondents to consider the case of the petitioner and others. It is the further case of the petitioner that the respondents have not yet issued any proceedings, but prepared a list to promote the Junior

College lecturers in the place of part-time lecturers in Degree College, without regularizing the services of the petitioner. Hence, the writ petition.

Admittedly, there is no dispute as to the appointment of the petitioner in 1992 as part-time lecturer and his continuation of service as such. It is further clear that the appointment of the petitioner is purely on temporary basis.

The very relief sought for by the petitioner in this writ petition is to declare the action of the respondents 1 to 4 in not implementing the third direction of the order of the 5th respondent in O.A. No. 6369 of 1997 dated 25-9-1998 which reads as under:

“The respondents are further directed to pay at the minimum of scale of pay attached to the post with allowances as per rules to those part-time lecturers, who are possessing Post Graduate qualifications with not less than 55% of marks in the relevant subject in case of lecturers and not less than 50% of marks in the relevant subject in case of Junior lecturers and who are teaching 16 hours in a week as prescribed under G.O. Ms. No. 166, Education dated 8-5-1994”.

As seen from the above direction, which is the third limb of the order of the Tribunal in O.A. 6369 of 1997, there are certain conditions, which should be fulfilled by the incumbents invariably. However, in order to establish his claim that he fulfilled all the conditions stipulated there under, viz., he conducted 16 classes per week and so, the petitioner did not put forth any material before us. Hence, in view of the unexplained factual position, this Court is unable to come to any conclusion. Even otherwise, if the petitioner fulfills all the conditions stipulated, it is for him to pursue the matter with the authorities concerned ventilating his grievance and by placing all the relevant material in support of his claim.

Having regard to the facts and circumstances of the case, the writ petition is devoid of any merit and does not call for interference of this Court.

In the result, the writ petition is dismissed. No order as to costs.

T. MEENA KUMARI, J.

28-09-2005

P. LAKSHMANA REDDY, J.

SKM/KVSN